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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,580	01/09/2002	Timothy C. Loose	47079-0130	6596
30223	7590	08/26/2004		
JENKENS & GILCHRIST, P.C. 225 WEST WASHINGTON SUITE 2600 CHICAGO, IL 60606			EXAMINER COBURN, CORBETT B	
			ART UNIT 3714	PAPER NUMBER

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/042,580	Applicant(s) LOOSE, TIMOTHY C.	
	Examiner Corbett B. Coburn	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-15 and 17-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 and 19-24 is/are allowed.
- 6) ☒ Claim(s) 9-15, 17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Interpretation

1. Applicant has added the limitation, “wherein the one of the plurality of display indicia is selected from the plurality of display indicia based on which of the plurality of sensors detects the first signal.” At first glance, neither this nor “a plurality of display indicia” is supported by the specification. Applicant only discloses using lights as display indicia. These limitations are only supported if Examiner interprets the disclosed right- to-left lamp sequence to be one indicium and the left-to-right lamp sequence to be another. In essence, the right-to-left lighting sequence is like an arrow pointing left and the left-to-right lighting sequence is like an arrow pointing left. (Examiner is aware that these sequences are not described as arrows in the specification – they are not described at all. The arrow concept may, however, clarify Examiner’s interpretation of the claims.)

Allowable Subject Matter

2. Claims 1-7 & 19-24 are allowed.

3. The following is an examiner’s statement of reasons for allowance: A thorough search of the prior art fails to disclose any reference or references, which, taken alone or in combination, teach or suggest, in combination with the other limitations, having the one of the plurality of display indicia be selected from the plurality of display indicia based on which of the plurality of sensors detects the first signal.

4. As explained above, Examiner believes this to refer to the right- to-left lamp sequence and the left-to-right lamp sequence. The nearest prior art, Gomez, discloses the use of text or other graphics. (Paragraph 0036) Clearly, Gomez is capable of displaying the right- to-left lamp

Art Unit: 3714

sequence and the left-to-right lamp sequence. Furthermore, having arrows or their equivalents point out the winning machine is in keeping with the teachings of the art – the art is replete with teachings to point out the winning machine in order to generate excitement. The Examiner must also admit that the use of arrows to indicate things is notoriously well known.

On the other hand, there is no specific suggestion in the art to use arrows or their equivalents in the manner described. Nor are the right- to-left lamp sequences and the left-to-right lamp sequences actually described as arrows. Therefore, Examiner cannot reject the claims using the arrow concept without impermissible hindsight.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 9-15, 17 & 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gomez et al. (US Publication Number 2002/0160826) in view of Pease et al. (US Patent Number 5,759,102).

Claims 9, 11, 18: Gomez teaches a method of generating one of a plurality of display indicia on a gaming machine in synchronization with an adjacent gaming machine.

(Paragraphs 0007 & 0009) The gaming machine includes a display (12a-n). Gomez describes the gaming machine giving a signal indicating that a predetermined event has occurred. (Paragraph 0008) Thus Gomez's machine inherently has an emitter. Since the signal must be received in order to be acted upon, Gomez's machine must also inherently have a sensor. Gomez describes a peer-to-peer network (paragraph 0012). Gomez also teaches that any suitable network – including serial daisy chain, may link the gaming machines. (Paragraph 0028) In that embodiment, each machine must detect the first signal from the adjacent machine at the sensor and in response to the first signal, generate the display indicia on the display and emit a second signal from the emitter. (Paragraph 0006) In order to function as a peer-to-peer serial daisy chained network in the configuration described in the specification and depicted in Fig 1, each gaming machine must have a plurality of emitters and sensors. Machine (10b) for instance, must be linked with machines (10a & 10c). Since the triggering event may occur on any machine, 10b must be able to receive the activation signal from both 10a and 10b. Thus it must have a plurality of sensors. 10b must also be able to transmit to both 10a and 10c. Thus it must have a plurality of emitters.

Gomez teaches gaming machines lined up in a row. (Fig 1) Gomez also teaches that any suitable network – including serial daisy chain, may link the gaming machines. In a serial daisy chain network, the sensor of one machine is connected directly to the emitter of the adjacent machine. Furthermore, since the gaming machines are placed side-by-side, the sensor must be positioned proximal to (i.e., close to) the emitter of the adjacent gaming machine. Gomez teaches signals being emitted from each gaming

machine to an adjacent machine. (Paragraph 0012) Thus, the first signal from the adjacent machine is emitted from an emitter on the adjacent machine. Since the sensor is on the machine receiving the signal from the adjacent machine, the sensor must be proximate to (i.e., close to or adjacent to) the emitter on the adjacent machine.

Gomez does not teach that the signals are light signals. Gomez teaches a peer-to-peer network (paragraph 0012), but does not teach the physical aspects of the network – i.e., how it communicates. Pease teaches a wireless, infrared network. (Col 4, 12-23) An infrared network uses light (infrared) signals emitted by a light source and detected by photo sensors. Infrared networks are well known to the art. They allow communications between devices without wires. This increases the flexibility of the network's physical configuration. It would have been obvious to one of ordinary skill in the art to have used the teaching of Pease to implement an infrared network (with light signals emitted by a light source and detected by photo sensors) connecting gaming machines as described in Gomez in order to increase the flexibility of the network's physical layout.

Claim 10: Gomez teaches a row of n machines. (Fig 1) Each machine detects a signal from the adjacent machine, displays the attraction feature, and propagates the signal down the chain. (Paragraphs 0006-0012) Thus Gomez teaches detecting the second signal at a sensor on a third of the machines adjacent to the second of the machines, the sensor on the third of the machines being proximate to the emitter on the second of the machines; and in response to detecting the second signal, generating display indicia on the display of the third of the machines.

Art Unit: 3714

Claims 12 & 14: Gomez teaches detecting a game-related event in a game executed on the machine and in response to the game-related event, emitting the second signal from the one of the plurality of emitters (i.e., a bonus condition may start the display of attraction mechanisms where each machine signals its neighbor to start the display).

(Paragraph 0008)

Claim 13: Gomez teaches generating other display indicia on the display in response to the game-related event. I.e., the bonus condition causes the attraction mechanism display.

Claim 15: Gomez teaches that the display may include a plurality of lamps that may sequentially flash. (Paragraphs 0014, 0007, 0022) The display of a message in a dot-matrix display would cause the lamps to sequentially flash.

Claim 17: Gomez teaches that the display may include a video display, and the step of generating the display indicia may include displaying an image of a moving object.

(Paragraph 0035)

Response to Arguments

8. Applicant submitted no additional arguments with the request for RCE. All arguments were answered in the office action mailed 28 May 2004.

Conclusion

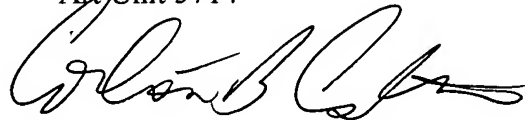
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (703) 305-3319. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

Art Unit: 3714

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (703) 308-1745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Corbett B. Coburn
Examiner
Art Unit 3714



cbc